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AGREEMENT OF 13 DECEMBER 1991 BETWEEN THE REPUBLIC OF ARGENTINA, THE FEDERATIVE REPUBLIC OF BRAZIL, THE BRAZILIAN-ARGENTINE AGENCY FOR ACCOUNTING AND CONTROL OF NUCLEAR MATERIALS AND THE INTERNATIONAL ATOMIC ENERGY AGENCY FOR THE APPLICATION OF SAFEGUARDS

An Agreement by exchange of letters with the Federative Republic of Brazil in connection with the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean

1. The text of the Exchange of Letters is reproduced in this document for the information of all Members. This Exchange of Letters constitutes an agreement confirming that:

- the Safeguards Agreement of 13 December 1991[1], concluded between the Republic of Argentina, the Federative Republic of Brazil (Brazil), the Brazilian-Argentine Agency for Accounting and Control of Nuclear Materials and the IAEA (the Quadripartite Agreement) on the basis of the Agreement on the Exclusively Peaceful Utilization of Nuclear Energy (the SCCC), also satisfies the obligation of Brazil under Article 13 of the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (the Tlatelolco Treaty).

- the safeguards set forth in the Quadripartite Agreement shall also apply, with regard to the obligation of Brazil under Article 13 of the Tlatelolco Treaty, for as long as Brazil is party to the Tlatelolco Treaty.

2. The agreement reflected in the Exchange of Letters was approved by the Board of Governors on 10 June 1997, and pursuant to its terms, entered into force on that date.

[1] Reproduced in document INFCIRC/435.

For reasons of economy, this document has been printed in a limited number.

THE EMBASSY OF THE FEDERATIVE
REPUBLIC OF BRAZIL

AEIA/SEC/Nr.073A/97

Vienna, May 22, 1997

Sir,

I have the honour to acknowledge receipt of your note dated May 06, 1997, as follows :

"I have the honour to refer to the decision of the Board of Governors of the International Atomic Energy Agency of 15 June 1995 which authorized the Secretariat of the IAEA to confirm, through an exchange of letters with the relevant States of the Latin American and Caribbean region that, inter alia, the Agreement between Argentina, Brazil, the Argentine-Brazilian Agency for the Accounting and Control of Nuclear Materials and the IAEA for the application of safeguards (hereinafter called "the Quadripartite Agreement") satisfies the requirement of the States parties under the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean ("the Tlatelolco Treaty") to conclude a comprehensive safeguards agreement.

The Government of the Federative Republic of Brazil is party to the Tlatelolco Treaty and has accepted an obligation to sign and bring into force a safeguards agreement with the International Atomic Energy Agency under that Treaty. The Government of the Federative Republic of Brazil is also party to the Agreement on the Exclusively Peaceful Utilization of Nuclear Energy ("the SCCC Agreement"), which serves as a basis for the Quadripartite Agreement.

Against that background, I should like to propose the following:

1. Brazil and the IAEA consider that the Quadripartite Agreement satisfies the obligation of Brazil under Article 13 of the Tlatelolco Treaty.

2. Brazil and the IAEA agree that the safeguards set forth in the Quadripartite Agreement shall also apply, with regard to the obligation of Brazil under Article 13 of the Tlatelolco Treaty, for as long as Brazil is party to the Tlatelolco Treaty.

It is the Secretariat's understanding that your Government concurs with the statements in paragraphs 1 and 2 above. In that case, this letter and your affirmative reply shall, subject to approval by the Board of Governors of the IAEA, constitute an agreement which shall enter into force on the date of its approval by the Board of Governors of the IAEA."

Dr. Hans Blix
Director General
International Atoic Energy Agency

2. In response, I have the honour to inform you that the terms of the above mentioned letter are acceptable and should therefore be considered as an Agreement between the Brazilian Government and the International Atomic Energy Agency.

I avail myself of this opportunity to renew to you, Sir, the assurances of my highest consideration.

Affonso Celso de Ouro-Preto
Resident Representative

INTERNATIONAL ATOMIC ENERGY AGENCY

THE DIRECTOR GENERAL

6 May 1997

Sir,

I have the honour to refer to the decision of the Board of Governors of the International Atomic Energy Agency of 15 June 1995 which authorized the Secretariat of the IAEA to confirm, through an exchange of letters with the relevant States of the Latin American and Caribbean region that, *inter alia*, the Agreement between Argentina, Brazil, the Argentine-Brazilian Agency for the Accounting and Control of Nuclear Materials and the IAEA for the application of safeguards (hereinafter called 'the Quadripartite Agreement') satisfies the requirement of the States parties under the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean ('the Tlatelolco Treaty') to conclude a comprehensive safeguards agreement.

The Government of the Federative Republic of Brazil is party to the Tlatelolco Treaty and has accepted an obligation to sign and bring into force a safeguards agreement with the International Atomic Energy Agency under that Treaty. The Government of the Federative Republic of Brazil is also party to the Agreement on the Exclusively Peaceful Utilization of Nuclear Energy ('the SCCC Agreement'), which serves as a basis for the Quadripartite Agreement.

Against that background, I should like to propose the following:

1. Brazil and the IAEA consider that the Quadripartite Agreement satisfies the obligation of Brazil under Article 13 of the Tlatelolco Treaty.

2. Brazil and the IAEA agree that the safeguards set forth in the Quadripartite Agreement shall also apply, with regard to the obligation of Brazil under Article 13 of the Tlatelolco Treaty, for as long as Brazil is party to the Tlatelolco Treaty.

H.E. Mr. Affonso Celso de Ouro-Preto
Ambassador
Permanent Mission of Brazil to the IAEA
Lugeck 1/V/15
1010 Vienna

It is the Secretariat's understanding that your Government concurs with the statements in paragraphs 1 and 2 above. In that case, this letter and your affirmative reply shall, subject to approval by the Board of Governors of the IAEA, constitute an agreement which shall enter into force on the date of its approval by the Board of Governors of the IAEA.

Accept, Sir, the assurances of my highest consideration.

Hans Blix
Director General